

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALEJANDRO PINTO,

Plaintiff,

-against-

BLOCKFI, INC.,

Defendant.

21-CV-10190 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, appearing *pro se*, brings this action alleging that Defendant Blockfi, Inc. discriminated against him. Plaintiff did not submit an application to proceed *in forma pauperis* (IFP), or pay the filing fees to initiate this action. By order dated December 1, 2021, the Court directed Plaintiff to either submit an IFP application or pay the filing fees. The Court has learned, however, that Plaintiff previously submitted to this court an identical complaint against Defendant, *see Pinto v. Blockfi, Inc.*, ECF 1:21-CV-10117, 1, in which he has paid the filing fees.

As this complaint raises the same claims, no useful purpose would be served by litigating this duplicate lawsuit. The Court therefore vacates its order directing Plaintiff to pay the filing fees or submit an IFP application and dismisses the complaint as duplicative, without prejudice to Plaintiff's pending case under docket number 21-CV-10117.

CONCLUSION

Plaintiff's complaint is dismissed without prejudice as duplicative of *Pinto v. Blockfi, Inc.*, No. 21-CV-10117.

The Court directs the Clerk of Court to vacate its order directing Plaintiff to submit an IFP application or pay the filing fees. (ECF 3.)

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal.

See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Plaintiff consented to receive electronic service of notices and documents in this case.

(ECF 2.)

Dated: December 7, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge